



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2023-0138; FRL-10865-01-OAR]

Proposed Information Collection Request; Comment Request; Regional Haze Regulations (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency is planning to submit an information collection request (ICR), “Renewal of the ICR for the Regional Haze Regulations” (EPA ICR No. 2540.04 OMB Control No. 2060-0704) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA). Before doing so, the EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through September 30, 2023. An Agency may not conduct, or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Comments must be submitted on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Comments. Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2023-0138, at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (e.g., on the

Web, Cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>. Certain other material, such as copyrighted material, will not be placed on the Internet but may be viewed, with prior arrangement, at the EPA Docket Center. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the Air and Radiation Docket and Information Center, EPA/DC, EPA William Jefferson Clinton West Building, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744 and the telephone number for the Air and Radiation Docket and Information Center is (202) 566-1742. For additional information about the EPA's public docket, visit the EPA Docket Center homepage at: <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Macie Moore, Air Quality Policy Division, Office of Air Quality Planning and Standards, mail code C539-04, U.S. Environmental Protection Agency, Research Triangle Park, NC 27709; email address: moore.macie@epa.gov.

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The telephone number for the Docket Center is (202) 566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Pursuant to section 3506(c)(2)(A) of the PRA, the EPA is soliciting comments and information to enable it to: (i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (ii) evaluate the accuracy of the Agency's estimate of the

burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. The EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, the EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: This ICR is for activities related to the implementation of the EPA's Regional Haze Rule (2017 rule revision),¹ for the period between September 30, 2023, and September 30, 2026, and renews the previous ICR. The Regional Haze Rule codified at 40 CFR parts 308 and 309, as authorized by sections 169A and 169B of the Clean Air Act, requires states to develop implementation plans to protect visibility in 156 federally protected Class I areas. Tribes may choose to develop implementation plans. For this period, all 50 states, the District of Columbia, and the U.S. Virgin Islands will be developing and submitting 2nd planning period progress reports pursuant to 40 CFR 51.308(g) and 40 CFR 51.309(d)(10). In accordance with the 2017 rule revision, the progress reports associated with the 2nd planning period are not required to be submitted as SIP revisions. Further, 13 states and the U.S. Virgin Islands will be developing and submitting periodic comprehensive implementation plan revisions for the 2nd planning period to comply with the regulations.

Form Numbers: None.

Respondents/affected entities: Entities potentially affected by this action are state, local and tribal air quality agencies, regional planning organizations and facilities potentially regulated under the

¹ Final Rule: Protection of Visibility: Amendments to Requirements for State Plans, 82 FR 3078, January 10, 2017.

Regional Haze Rule.

Respondent's obligation to respond: Mandatory [see 40 CFR 51.308(b), (f) and (g)].

Estimated number of respondents: 52 (total); 52 state agencies.

Frequency of response: Approximately every 5 years.

Total estimated burden: 14,459 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: \$850,478.38 (per year). There are no annualized capital or operation & maintenance costs.

Changes in Estimates: There is decrease of 23,796 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This decrease in burden reflects changes in labor rates and changes in the activities conducted due to the normal progression of the program. In the currently approved ICR, the estimated respondent burden assumed 50 states, the District of Columbia, and the U.S. Virgin Islands would be developing and submitting comprehensive State Implementation Plans (SIPs), which were due by July 31, 2021. In practice, 37 states and the District of Columbia submitted SIPs during the currently approved ICR period. Within the proposed ICR, the estimated respondent burden assumes that all 50 states, the District of Columbia, and the U.S. Virgin Islands will be developing and submitting progress reports by January 31, 2025, while 13 states and the U.S. Virgin Islands will be submitting outstanding periodic comprehensive SIP revisions.

Scott Mathias,
Director, Air Quality Policy Division.

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